BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE V.BHASKARAN NAMBIAR
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

Mat.Appeal.No. 225 of 2005()

OP.111/2003 of FAMILY COURT,TRIVANDRUM
.....

APPELLANT/PETITIONER:

SUDHEER, S/O.LATE SUKUMARAN NAIR,
PADMA SARITH, NEAR JAWAHAR NAGAR BUS STAND,
SASTHAMANGALAM P.O.

BY ADV. SRI.P.B.SURESH KUMAR
SRI.LEO GEORGE

RESPONDENT/RESPONDENT:

LEKSHMI, D/O.MADHAVAN NAIR,
LEKSHMI NIVAS, T.C.15/107,
ALTHARA ROAD, SASTHAMANGALAM.

BY ADV. SRI.ANIL K.NARENDRAN

THIS MATRIMONIAL APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH ALONG WITH MAT. APPEAL NO.233 OF 2005 AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

JUSTICE V.BHASKARAN NAMBIAR (RETD. JUDGE, HIGH COURT OF KERALA) &
JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)

Mat. Appeal Nos. 225/2005 & 233/2005

Dated this the 17th day of September, 2007

AWARD

Both appeals are filed by the husband and respondent is the wife. The parties have settled their differences through the mediation of Sri.Sreelal Warriar on our request. They have now come to the following terms:

1. The parties have filed a petition for divorce on mutual consent under Section 13(B) of the Hindu Marriage Act. We allow the same and grant the relief of divorce to the parties effective from this date.
2. The parties have a minor child by name Gokul who has completed 11 years. The respondent-Lakshmi will be the custodian of the child and the petitioner-father will have right of visitation of the child once in two months. The date and venue will be decided by the parties on mutual consent.
3. A sum of Rs.2 Lakhs will be deposited by the petitioner in the name of the minor child-Gokul in a Nationalized Bank at Trivandrum within a period of 15 days from this date with appropriate provision that interest due thereon can be withdrawn by the respondent and spent

for the purposes of the child. The respondent will co-operate by signing necessary forms before the Bank if that is necessary.

4. The petitioner agrees to make further deposit of Rs.1,00,000/- which will also be subject to all the conditions as mentioned above. This will be done within a period of one year from this date(17.9.07). In the case of extreme emergency like treatment of the child, the respondent will be free to move the Family Court for withdrawal of any portion of the F.D.

5.The petitioner will continue to pay maintenance at the rate of Rs.500/- per month as has been done so far for a further period of one year from this date.

We place on record our appreciation for the commendable work that Sri.Sreelal Warriar has done which only enabled an award as mentioned above.

Appeals are disposed of as above.

V.BHASKARAN NAMBIAR
(RETD. JUDGE, HIGH COURT OF KERALA)

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

jp